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FCC - MAILROOM

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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of) MB Docket No.
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations) RM-
Evart, Michigan)

To: Marlene H. Dortch, Secretary
Office of The Secretary,
Federal Communications Commission

PETITION FOR RULEMAKING

Roy E. Henderson (hereinafter "Henderson"), pursuant to Sections 1.401 and 1.420 of the Commission's Rules hereby files the instant Petition For Rulemaking requesting amendment of the FM Table of Allotments to add channel 274A to the community of Evart, Michigan. In support whereof, the following is submitted:

I. PRELIMINARY STATEMENT

The essential purpose of this Petition is to add a new FM radio channel to serve the needs and interests of Evart, Michigan, which at the present time are not served by any local transmission service licensed to that city. Evart has a population by the 2000 U.S. Census of 1,738 persons, over a six square mile area in Osceola County, and is included as a designated city in the Rand-McNally Road Atlas. The community was established and named in 1867, and organized as an independent city in 1930. It uses the Council/Mayor form of local government

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MB 07-62

which includes the Mayor and three Council Members which meets regularly at the Evert City hall.

It also has a City Manager, its own police and fire departments, its own Department of Public Works, Wastewater Department, Recreation Department and provides its own water and sewer service to the city of Evert. It also has its own Evert Municipal Airport, six churches and 136 Members of the Evert Area Chamber of Commerce. It has its own zip code, its own yellow pages, 7 Youth Clubs, 3 Woman's Clubs, 11 General Civic Clubs, and 4 Civic organizations, all of which is documented in the attached "Exhibit One".

In sum, it is submitted that Evert far surpasses the test to be recognized as a "community" for allocation purposes, See Amendment of Section 73.2029b) FM Table of allotments, Cambridge, Virginia, et al, _FCC Rcd_, DA 06-1906 (2006) at pa. 4, and it is submitted that it is clearly deserving of its first local radio station.

Henderson is committed to supplying this new broadcast service to Evert and has already electronically filed his application form 301 and paid the fee (file # BNPH-20071128AAL), requesting a construction permit to build and operate the new station on channel 274A in Evert, as requested herein, and, if that channel is allotted by the Commission as requested herein, to participate in the auction for that channel and, if selected

there as the Permittee, to proceed to build and operate the station on that channel, and he reaffirms that commitment here.^{1/}

II. Other Changes Proposed in this Petition

As indicated in the attached Exhibit 2 "Engineering Statement", the allotment of channel 274A to Evart can be made, consistent with FCC rules and requirements, with minor changes in the operating channels of two existing stations and in one presently vacant allocation. Specifically, in order to accommodate the allocation of channel 274A to Evart as requested herein, channel modifications must be made in the Table of Allotments for WMOM(FM) in Pentwater, Michigan; KMLQ(FM) in Manistee, Michigan; and vacant allocation 242A to 249A in Ludington, Michigan, all as set forth in more detail below and in the attached Exhibit 2 "Engineering Statement".

1. WMOM(FM), Facility # 76057, is presently operated by Bay View Broadcasting, Inc. as licensee on Channel 274A in Pentwater, Michigan. It is requested and proposed here that the Commission issue an Order to Show Cause to the licensee of WMOM as to why its license should not be modified to specify operation on alternate equivalent channel 242A. No change in transmitter site is needed or proposed here, and Henderson, as part of this request, specifically agrees and commits to reimburse the

^{1/} The filing of this form 301 is in accordance with the requirements as set forth in Revision of Procedures Governing Amendments to FM Table of Allotments and Changes in the Radio Broadcast Services, 21 FCC Rcd, 14212 (206) at pa. 18 and 20.

licensee of WMOM for all of its reasonable and prudent out-of-pocket expenses incurred in making that requested change in channel.

2. KMLQ(FM), Facility # 39787, is presently operated by Synergy Media, Inc., as licensee on Channel 249A in Manistee, Michigan. It is requested and proposed here that the Commission issue an Order to Show Cause to the licensee of KMLQ as to why its license should not be modified to specify operation on alternate equivalent channel 282A. No change in transmitter site is needed or proposed here, and Henderson, as part of this request, specifically agrees and commits to reimburse the licensee of KMLQ for all of its reasonable and prudent out-of-pocket expenses incurred in making the requested change in channel

3. Vacant allocated channel 242A in Ludington, Michigan. In order for the above changes and new allotment to Evert to work consistent with all FCC rules and requirements, it will be necessary to change the existing vacant allotment of channel 242A in Ludington to equivalent replacement channel 249A. As shown in the attached Engineering Statement, this change can be accomplished at the specified allotment site consistent with all applicable FCC rules and requirements. Moreover, Henderson has already electronically filed his Application form 301 and paid the fee (file # BNPH-20071128AAK) requesting a construction permit to build and operate a new station on replacement channel 249A in Ludington as requested herein, and if that channel is

allotted by the Commission as requested, to participate in the auction for that channel and, if selected there as the Permittee, to proceed to build and operate a new station on that channel, and he reaffirms that commitment here.

III. SUMMARY

It is submitted that this counterproposal is fully supported by the Engineering submitted in the applications already filed by Henderson, and in the Engineering Statement as attached hereto, which definitively set forth every element of the requested changes and clearly demonstrates in each case that the Henderson Petition meets all FCC Engineering rules and that the improvements and changes requested herein are in full compliance with all Commission rules and policies.

In sum, it is respectfully requested that the Commission amend the FM table of Allotments as follows:

| City | Present | Proposed |
|---------------------|---------|----------|
| Evart, Michigan | - | 274A |
| Pentwater, Michigan | 274A | 242A |
| Ludington, Michigan | 242A | 249A |
| Manistee, Michigan | 249A | 282A |

IV. CONCLUSION

It is therefore respectfully submitted that adoption of the instant Petition would clearly serve the public interest in bringing a new first local transmission service to the city of Ewart, Michigan, and would also further serve the public interest in facilitating the initiation of service on the equivalent replacement channel in Ludington, Michigan, as proposed in the Petition and as already applied for by the Petitioner in his applications as filed. In order to accomplish these positive benefits, two existing stations would need to change assigned frequencies but with no other changes required and with expenses incurred in the channel change reimbursed by the Petitioner. It is therefore clear that adoption of the Henderson Petition would result in a substantial net service benefit for the communities involved and that adoption of the Petition would be in the public interest.

As such, it is respectfully submitted that adoption of this Petition be in clear furtherance of the stated goal of Section 307(b) of the Communications Act of 1934 (47 U.S.C. 307(b)) of maximization of the most efficient use of the available allocations in the area and providing the public with the greatest amount of overall service to the community, and in furtherance of the high priority of providing a first local transmission service to Ewart, consistent with the priorities as set forth by the Commission in Revision of FM Assignment Policies and Procedures, Second Report and Order, 90 FCC 2d 88 (1982), and

as further set forth in Columbus, Nebraska, et.al., 59 RR 2d 1184 (1986).

Wherefore, for the reasons stated herein, it is respectfully submitted that the instant Petition is clearly in the public interest and should be adopted.

Respectfully submitted,

ROY E. HENDERSON

by



Robert J. Buenzle

His Counsel

Law Offices
Robert J. Buenzle
11710 Plaza America Drive
Suite 2000
Reston, Virginia 20190
(703) 430-6751

December 12, 2007

Petition For Rulemaking of
Roy E. Henderson
Ewart, Michigan
December, 2007

Exhibit 1

**BIOGRAPHICAL BACKGROUND ON
EVART, MICHIGAN**



GOVERNMENT INFORMATION

Evart, Michigan

Address: 200 South Main Street
 Evart, Michigan 49631
 Phone (231) 734-2181
 Fax: (231) 734-3917
 E-mail: ddaldfa@netonecom.net
 Official City Page www.evart.org

| | | |
|-----------------------------------|-----------------------|--------------|
| Population | 1,738 | |
| Sq. Miles | 6 | |
| Form Govt. | Council/Manager | |
| Meeting | 1st and 3rd Mon. | |
| County | Osceola | |
| U.S. Representative District 4 | | |
| State Senator District 35 | | |
| State Representative District 102 | | |
| Airport Mgr. | Vacant | |
| Assessor | Vicki Cushman | 231-734-3889 |
| Attorney | James White | |
| City Manager | Roger Elkins | 231-734-2181 |
| Chamber of Commerce | Jim Crees - President | 231-734-6391 |
| | 127 N. River St. | 231-734-6119 |
| Clerk | Ann Pattee | |
| Council | Kevin Beemer | |
| | B.J. Foster | |
| | Jim Whitten | |
| Jean Duey | | |
| Downtown Dev. Dir. | Dan Elliot | 231-734-6119 |
| Fire Chief | Shane Helmer | 231-832-3255 |
| Mayor | Bruce Robinson | 231-734-2815 |
| Acting Police Chief | Gary Cole, Jr. | 231-734-5911 |
| Public Works | James Ward | 231-734-2101 |
| Treasurer | Pam Wayne | |

| | | |
|------------|---------------|--------------|
| Wastewater | Mike Wirkutis | 231-734-2181 |
| Zoning | Roger Elkins | 231-734-2432 |



[Back to Ewart Main Page.](#)

InfoMI.com is not connected or affiliated with any city, county, village, or township.
We provide as much community information as we can but have no official connection to this community.
If you have any current information that would help this page please use our [government form](#).

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Meet your elected officials:

City of Evart

City of Evart

City Manager: Roger Elkins

| | | | |
|---------------------------|-----------------------|---------------------|-------------------------|
| Mayor | Bruce Robinson | 231-734-2181 | (term ends 2007) |
| Mayor pro-tem | Jean Duey | 231-734-2181 | (term ends 2007) |
| Council-person | Kevinn Beemer | 231-734-2181 | (term ends 2007) |
| Council-person | Jim Whitten | 231-734-6940 | (term ends 2007) |
| Council-person | B.J. Foster | 231-734-3636 | (term ends 2007) |
| Clerk | M. Ann Pattee | 231-734-2274 | (term ends 2007) |
| Dep. Clerk | Linda Park | 231-734-2181 | (appointed) |
| Police Chief | Zackary Szakas | 231-734-5911 | (appointed) |
| Treasurer | Pamela Wayne | 231-734-2181 | (appointed) |
| Utilities Director | Jim Ward | 231-734-2101 | (appointed) |
| Secretary | Terri Burch | 231-734-2181 | |

COUNCIL MEETINGS are held the first and third Monday of the month at City Hall (The Depot), 200 S. Main St., Evart, MI 49631, at 7:00 p.m.

PLANNING COMMISSION MEETINGS: Last Monday of the month at City Hall at 7:00 p.m.

REFUSE is picked up city-wide on Wednesday. You may leave refuse bins/bags at curbside the after 4:00 p.m. the day prior to collection.

RECYCLE bins may be requested from the Department of Public Works, 231-734-2101. First bin received free of charge. Replace bin = \$6.00/each.

RIVERSIDE PARK reservations for camping or pavilion rental: 231-734-2181. During the summer months (May 1 through September 30), camping reservations may be made directly by calling the park manager at 231-734-5901.

TO CONTACT THE CITY OF EVART

Evart City Hall

200 S. Main St.
Evart, MI 49631

| | |
|------------------------|--------------|
| City Hall: | 231-734-2181 |
| City Hall Fax: | 231-734-3917 |
| Police Department: | 231-734-5911 |
| PD Fax: | 231-734-0051 |
| Dept. of Public Works: | 231-734-2101 |
| Wastewater Department: | 231-734-5793 |
| Recreation: | 231-734-5137 |
| Riverside Park: | 231-734-5901 |

Evart Housing Commission

| | | |
|---------------|-------------------------------------|--------------|
| Karen Higgins | 601 W. First St. Evart MI. 49631 | 231-734-3307 |
|---------------|-------------------------------------|--------------|

Chamber of Commerce

PO Box 688, Evart, MI 49631-0688

Evart Area Chamber of Commerce Web Page
Chamber E-Mail

| | |
|--|--------------------------------|
| President: <u>Neal Beach</u> | 231-734-2181 office |
| Fax: | 231-734-3917 or 231-734-6119 |
| Vice President: <u>Jim Crees</u> | 231-832-5566 |
| Treasurer: <u>Brian Youngs</u> | 231-734-5532 |
| Corresponding Secretary: <u>Jan Booher</u> | 231-734-6585 |
| Exec. Secretary: <u>Melora Theunick</u> | 231-734-6119 (telephone & fax) |



Area Youth Clubs


| | | |
|--|---|--|
|  Osceola 4-H FFA Fair | 101 Recreation Ewart, MI 49631 | 231-832-2605 231-734-5481 Herb L. Phillips |
| Youth Advisory Council Equestrian Team & The Saddle Club | 863 80th Ave. Ewart, MI 49631 | 231-734-3022 Beth McLachlan |
| AWANA Boys & Girls Club | 636 N. Oak St. Ewart, MI 49631 | 231-734-2464 |
| Girl Scouts | 1434 Seath Lane Ewart, MI 49631 | 231-734-2083 <u>larryn@netonecom.net</u> Judy Nicklas |
| Job's Daughters #74 | 301 S. Main St. Ewart, MI 49631 | Bill Wilder <u>wilder@netonecom.net</u> |
| Leos | Ewart, MI 49631 | 231-734-5594 Martha Carmichael |
| Youth Advisory Council Osceola County Community Foundation | 16065 One Mile Rd Hersey, MI 49639 | 231-832-5761 Larry Neiderheide |

Women Clubs




| | | |
|---|--|---|
| Eastern Star #242 | 301 S. Main St. Ewart, MI 49631 | Bill Wilder <u>wilder@netonecom.net</u> |
| Ewart Woman's Club | 445 N. Hemlock Ewart, MI 49631 | Judy Nicklas 231-734-2083 <u>larryn@netonecom.net</u> |
| Ewart Business Community Women | 233 N. Main St. Ewart, MI 49631 | 231-734-3752 Ruth Ann Northon |

Clubs

| | | |
|---|--|---|
| American Legion | Ewart, MI | 231-734-5945 |
| American Red Cross | Ewart, MI | 231-734-6562 |
| Ewart VFW Post # 7979 <u>VFW 7979 Web Site</u> | 7496 80th Ave. Ewart, MI 49631 | 231-734-5600 Alan Rohen |
| Ewart Lions Club | 339 N. Cherry St. Ewart, MI 49631 | Gayle Morlock 231-734-5200 |
|  Ewart Masonic Lodge # 320 | 301 S. Main St. Ewart, MI 49631 | Bill Wilder <u>wilder@netonecom.net</u> |
|  Moose Lodge # 2452 | 107 E. 7th St. PO Box 464 Ewart, MI 49631 | 231-734-3419 Lee Perleburg |
| Osceola Dairy Boosters | 7659 2 Mile Rd. Ewart, MI 49631 | 231-734-5315 Dave Elder |
| Hartwick | 7093 14 Mile Rd. | 231-734-5125 |

| | | |
|--|---|--------------------------------------|
| <i>Dulcimers Club</i> | <i>Evart, MI 49631</i> | <i>Sandy Holder</i> |
|  Pere Marquette Snowmobile Club | PO Box 1153 Evart, MI 49631 | 231-734-3370 Dan Daggy |
| Wood Carvers | 7093 14 Mile Rd. Evart, MI 49631 | 231-734-5125 Sandy Holder |

Civic Organizations

| | | |
|---|---|---|
|  Evart Area Chamber of Commerce | 808 W. 7th (PO Box 668) Evart, MI 49631 | (231)734-9799 |
|  <u>Reed City Area Chamber of Commerce</u> | 231-832-5431 PO Box 27 Reed City, MI 49677 | <u>John Calabrese</u> <u>Executive Director</u> <u>Sally Bolle</u> <u>Marketing Director</u> |
|  Mecosta - Osceola United Way | 220 Main St. Evart MI. 49631 | 231-592-4144 Betty J. Seelye |
| Hartwick Dulcimers Club | 7093 14 Mile Rd. Evart, MI 49631 | 231-734-5125 Sandy Holder |
| Evart Historical Society | 431 N. Oak St. Evart, MI 49631 | 231-734-5487 Beverly Stevens |



Evart DDA & LDFA
DANIEL L. ELLIOTT, Project Consultant
127 N. River St., P.O. Box 668
Evart, MI 49631-0668
Telephone/Fax (231) 734-6119
E-Mail:
ddaldfa@evart.org

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by

Evart Michigan DDA & LDFA
and



This Page Updated

2006 Evart Area Chamber of Commerce Members

This Page Updated December 28, 2006

| | Business Name | Description | First Name |
|--|-----------------------------------|--|-----------------|
| | | | Melora |
| | | | Alden |
| | | | Lloyd |
| | | | Bob |
| | | | Gary or Donna |
| | | | |
| | | 102 nd District Representative | Darwin |
| | | 77 th District Court for Osceola County | Hon. Susan H. |
| | 85 th Avenue Auto Inc. | Auto Repair | Dan (Cindy) |
| | A.L. Johnson & Sons | Wholesale Produce | Dan |
| | ARS ABSent Fire Inc. | Fire Protection | Levi |
| | B.C. Pizza | Restaurant | Darin & Robin |
| | Birch Valley Golf Course | Golf Course | Dave |
| | Blodgett Oil Jiffy Mart | Gas Station Convenience Store | Nancy Connie |
| | Bonnie Veddler Seeds | Seeds | Bonnie |
| | | | |

| | Britz Realty | Real Estate | Bill |
|--|--|---|-----------------------------------|
| | BryBec Distributing Inc | Wholesale distrib.of snack foods | Rebecca |
| | Central Michigan Comm. Federal Credit Union | Credit Union | Kris |
| | Charter Communications | Cable TV | Dan |
| | Chemical Bank | Bank | Brian S. |
| | Chippewa Plastics, Inc. | Industry Auto Parts | John |
| | Chuck's Corner Inc. | Convenience Store | June or Roy |
| | Citizens Bank | Bank | Kelly |
| | Citizens Bank | Bank | Dan |
| | City of Ewart | | Bruce |
| | City of Ewart | | Roger |
| | Club Shadows | Restaurant, Bar, Bowling | Dr. |
| | Collins & Aikman | Industry | Harry |
| | Collins & Aikman | Industry | Chris |
| | Connor O'Malley Irish Pub and Restaurant | Pub and Restaurant | Miles |
| | Corey Funeral Home Inc | Funeral Home | Mark |
| | Corner Cupboard Café | Restaurant | Jean |
| | Corner Store | Convenience Store | Linda (Allen Peterson) |
| | Creekside Carwash | | BJ |

| | | | |
|--|--|--|-------------------------|
| | | Car Wash | |
| | Crossroads Community Church | Church | Daniel |
| | County Line Chapel A Church of Love, Laughter & Unity | Church | |
| | Curves | Health & Fitness Club | Lyn |
| | Cushman Appraisals | Real Estate Appraisals | Vicki or Brion |
| | D M F Inc. | Freight Co. | Duane |
| | Details | | Jan |
| | D-n-R Tire & Auto | Auto Repairs | Rick & Deb |
| | Driven Autos | Used Car Sales (Co-owned with Tom Cruikshank) | Chet |
| | Drouse Chiropractic | Chiropractic | Dr. Rod |
| | Ewart Chiropractic Clinic | Chiropractic | Mary |
| | Ewart Country Stop | Coffee Shop & Deli | Pat Michelle |
| | Ewart Family Chiropractic | Chiropractic | Jerry |
| | Ewart Floral Boutique | Florist | Sue |
| | Ewart Housing Commission | | Karen |
| | Ewart Jewelers | Jewelry | Dennis |
| | Ewart LDFA & DDA | | Dan |
| | Ewart Lounge | Restaurant, Bar | |
| | Ewart Masonic Lodge 320 F&A. | Service Organization | Bill |
| | Ewart Moose Lodge #2452 | Service Organization | Lee |

| | | | |
|--|---|---|----------------------|
| | Ewart Pro Hardware | Hardware Store | Terry/Nancy |
| | Ewart Public Schools | | Howard |
| | First North Financial | Bank | Charles |
| | Flemming Clothing | Clothing, Shoes, Boots | Janet/Frank |
| | Foster's Supermarket | Retail Grocery | Neil |
| | Four Season Portable Restr. & Septic | Portable Toilets | Mary |
| | Four Seasons Insulation | Insulating | BJ |
| | G & G Appraisal | Tax Assessing | Luella |
| | Gene's LP Gas Services | Propane & Gas | Arlene |
| | Habits & Hobbies | | Joyce |
| | Hinkle Witbeck Insurance | Insurance | Michelle |
| | Hinkley Drugs | Drugstore | Pete |
| | Holihan Drug Store | Drugstore | Alan (Shari) |
| | Hollingshead Construction | Construction | George |
| | Holton's LP Gas Co. | LP Gas Retail & Appliances | Dewane A. |
| | House of Flowers | Florist | Kathy |
| | HWC, LLC (Hardy Welding Corp) | | Eric / Shanon |
| | Industrial Machine & Tool | Welding, Fabrication, Steel Service Center | Joyce |

| | | | |
|--|---|-------------------------------|---------------------|
| | J's Place | | Janice |
| | Jake's Plumbing | Plumbing | Jacob |
| | Joe's Sales & Service | Auto Repair | Joe |
| | John Proctor Trucking | Trucking | John |
| | K & S Concrete Construction | Concrete Construction | Kevin |
| | K. L. Rathburn Construction | Construction | Kevin |
| | Kaberle Dentistry | Dentist | Gary |
| | Key Benefit Resources, Inc. | Insurance | Peter L. |
| | Kimberly Booher Law Office | Attorney | Kimberly |
| | LCM Surveying & Engineering | Surveying | Bill |
| | Lehman Insurance | Insurance | Anne |
| | Leutz Brothers, Incorporated | | Ed / Charles |
| | Liberty Dairy Company | Dairy Products | Gordon |
| | Lorna Baker-Houseworth Ins. | Insurance | Lorna |
| | Mancino's | Restaurant | Sandy |
| | Maranda's Beauty Shop | Salon | Maranda |
| | McLachlan Drilling | Gas & Oil Drilling | James |
| | Mecosta-Osceola Transit Authority (MOTA) | | Karin |

| | | | |
|--|--|--|------------------------------|
| | Mecosta-Osceola United Way | | Betty J. |
| | Mid-Michigan Medical Offices-Evart | Doctors | Bonnie |
| | M & J Furniture & Appliance | Used & New Furniture & Appliances | Mike or Keith |
| | Muskegon River Youth Home, Inc. | | Dawn |
| | Nestlé Waters NA, Inc. | Bottled Water | Brendan |
| | Nestlé Waters NA, Inc. | Bottled Water | Greg |
| | Nestlé Waters, NA, Inc. | Bottled Water | Guy |
| | NetOne Enterprizes | Internet Service Provider | R.J. |
| | Nichols Chiropractic | Chiropractor | Gerald (Sally) |
| | Nick's Barber Shop | Barber | Nick |
| | Northwest Central Realty | Real Estate | Steve |
| | Olde Town Printing | Printer, Publisher | Neal (Diane) |
| | Osceola 4-H FFA Fair | | Herb L. |
| | PDS Phone Directory Services | Phone Directories | Linda |
| | Pederson Farm | Beef | Jesse & Angie |
| | Pere Marquette Catering Co. | Catering | Deb Remus & Randy |
| | Pere Marquette Snowmobile Club | | Dan |
| | Pioneer – Osceola Edition | Newspaper | Jim |
| | | | |

| | | | |
|--|---|---------------------------------------|--------------------------|
| | Pioneer Group, The | Newspaper | John (Jack) |
| | PPG Industries Works # 23 | Industry Glass | Mike |
| | Precision Drywall & Paint | Drywall & Paint Contractor | Matt |
| | Printer Technologies | | Garry |
| | PT Services | | Patrick |
| | R. C. Tool Inc. | | Cindy |
| | Raymond James Investments | Financial Services | Chad |
| | Real Estate One | Real Estate | Linda |
| | Reed City Area Chamber of Commerce | | Sally |
| | Reedy Auto Specialists | Auto Repair | Greg |
| | Repeat Restaurant Equipment | Restaurant Equipment | Dennis |
| | River Country Campground | Campground | Duane (Holly) |
| | S & L Catering | Food Vendor, Catering | Stan |
| | Shore Nursery | | William or Sha |
| | Smith Construction | Contractor | Kevin |
| | Smith Lumber Co. of Ewart, Inc. | Lumber Co. | Alan or Rae Marie |
| | Spectrum Health Reed City Campus | Doctor's | Susan |
| | Spectrum Health Ewart Clinic | Doctor's | Sue (Barb) |

| | | |
|--|----------------------------|--------------------------------|
| Spectrum Health Reed City Campus | Doctor's | Carol |
| Spring Hill Camps | | Todd |
| Spring Valley Golf Course | Golf Course | Carol |
| Stanley Fuel, Gas & Oil Co Inc. | Propane & Gas | Donald or Rock Martinez |
| Star Truck Rentals | Truck Rental | Ken |
| Stephen E. Wood CPA | Accountant | Stephen E. |
| Sunshine Acres | Dairy Farming | Phyllis (Donald) |
| Super 8 Motel | Motel | Dave |
| Sydney Custom Homes LLC | Contractor | Brad |
| Taylor Insurance | Insurance | Lynn (Andy) |
| The Last Resort Bed & Breakfast | Bed & Breakfast | Roy & Sue |
| TPT, The Personal Touch | | Carolyn |
| Triage Enterprises Photography | Photography | Douglas J. |
| Triple "C" Excavating | Contractor | Francisco and John |
| Twin Creek Realty | Real Estate | Charles T. or Casey |
| UAW Local # 2270 | Labor Organization | Dana |
| UAW Local # 2270 | Labor Organization | Paul |

| | | | |
|--|---|--------------------------------------|----------------------|
| | United Telecom | | Mike |
| | US 10 Laundry | Laundromat | Bill |
| | VanDrie Home Furnishings | Furniture, Appliances, Carpet | Marvin |
| | VeriCorr Packaging, LLC | | Rick |
| | We R Wireless | Cell Phone | Linda |
| | Waldron Well Drilling, Inc. | Gas & Oil Drilling | Melanie |
| | White Birch Estates | Mobile Home Park | Michael |
| | White Gables Bed & Breakfast | Bed & Breakfast | Terese or Jim |
| | White Law Office, P.L.C. | Attorney | James R. |
| | Wirth Landscaping | | |
| | White Law Office, P.L.C. | Attorney | James R. |



The City of Evart Industrial Park

Evart DDA & LDFA
DANIEL L. ELLIOTT, Project Consultant

EVART AIR INDUSTRIAL PARK

The industrial park is bisected by the Evart Municipal Airport runway. Total reconstruction of the airport runway in the fall of 1998 has provided a 75 foot by 3800 foot lighted runway for business and industrial users. The adjacent industrial park has been designed to permit direct access to airplanes for loading and unloading at most industrial park lots without the need to load into a truck prior to delivery to the aircraft for transport.

All sites are level, clear and provide full utility services.

US-10 is an all weather major Michigan transportation route with less than fifteen minute access to freeways serving Detroit, Grand Rapids, Chicago, Traverse City and Northern Michigan.

For information about the Air-Industrial Park, please contact

Evart DDA & LDFA
DANIEL L. ELLIOTT, Project Consultant
127 N. River St., P.O. Box 668
Evart, MI 49631-0668
Telephone/Fax (231) 734-6119

E-Mail:
ddaldfa@evart.org

MAJOR HIGHWAY ACCESS

Located on US-10 Interstate

131 Expressway, Reed City = 12 Miles

27 Expressway, Clare = 23 miles

ZONING

City of Evart - General Industrial

UTILITIES

Ameritech Telephone Service

Consumers Energy

MichCon Gas Company

Water Source: CITY OF EVART, E-Mail

Sanitary Sewer: CITY OF EVART

Storm Sewer: CITY OF EVART

THE EVART

LOCAL DEVELOPMENT FINANCE AUTHORITY

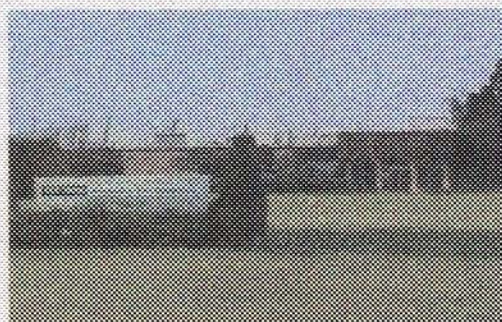
Dan Elliott, Project Consultant
127 N. RIVER STREET, PO BOX 668
EVART, MICHIGAN 49631-0668
TELEPHONE/FAX: (231) 734-6119
E-MAIL: ddaldfa@evart.org

THE EVART INDUSTRIAL CORPORATION
758 W. US-10
EVART, MICHIGAN 49631
TELEPHONE: (231) 734-5555

EXISTING EVART AREA INDUSTRIES



Collins & Aikman
601 W. 7th St.
231-734-9500



Evert Glass
PPG Corporation
6251 95th Ave.
231-734-9500



Liberty Dairy
Dean Foods Corporation
530 N. River St.
231-734-5592

OTHER INDUSTRIAL FIRMS LOCATED IN EVART

Brackett Machine & Tool
12989 3 Mile Rd.
231-832-2196

Chippewa Plastics
5843 S. 100th Ave.
231-734-5517

VeriCorr Packaging
251 S. Industrial Drive
231-734-3820

DeWitt Motor Freight
10920 E. US-10
231-734-6422

Huff Machine & Tool
5469 85th Ave.
231-734-3291

Industrial Machine & Tool
743 W. 7th St.
231-734-2204

McLachlan Drilling Company
815 W. 7th St.
231-734-2458

Minute Man Mold & Machine
7961 11 Mile Rd.
231-734-5828

Nestle' Water NA INC.
(Ice Mountain Water)
19275 8 Mi.

Stanwood MI. 49346
Schoenlein Carbide Tool
3085 30th Ave., Sears MI 49679
231-734-3740

Star Truck Rental
901 W. US-10
231-734-3021

Sunrise Tool & Die
12324 90th Ave.
231-734-6230

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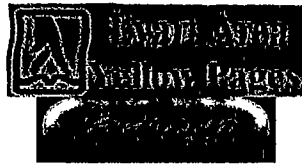
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Evert Michigan DDA & LDFA
and



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Video Rental
Welding
Youth Homes

Petition For Rulemaking of
Roy E. Henderson
Evart, Michigan
December, 2007

Exhibit 2

ENGINEERING STATEMENT

Roy E. Henderson
1610 Woodstead Court
The Woodlands, TX 77380

Petition For Rulemaking
November 27, 2007

Engineering Statement

This firm has been retained by Roy E. Henderson to prepare this engineering statement in support of his Petition For Rulemaking which seeks the allotment of FM Channel 274A to the community of Evert, Michigan as a first local aural service.

Evert, Michigan

The community of Evert, Michigan, (US Atlas Coordinates N43-54-01, W85-15-29), has a population of 1,738¹ persons and it is located in Osceola County, which has a population of 23,197 persons. The community is fully qualified as a community for allotment purposes and the requested assignment of FM Channel 274A² would provide the community with its first local aural service.

The proposed allotment site for FM Channel 274A at Evert, Michigan is located at N44-01-43, W85-17-51. This sample site is approximately 14 km north of the community of Evert, Michigan, (US Atlas coordinates N43-54-01, W85-15-29), and a transmitter operating at this site with full Class A facilities fully illuminates Evert with the required 70 dbu city grade signal using both smooth earth or actual terrain and the site is fully qualified as an allotment site. As is shown in the attached Exhibit E1, the proposed allotment is fully compliant with the Commission's Minimum Mileage Separation requirements with the exception of one short spacing to Radio Station WMOM(FM), (Facility ID 76057),

¹ All population data are taken from the 2000 US Census unless otherwise noted.

² The Petitioner has submitted FCC Form 301, along with the requisite filing fee for the assignment of FM Channel 274A at Evert, Michigan.

Pentwater, Michigan. It is proposed that the present channel at Pentwater, Michigan be changed to the alternate equivalent FM Channel 242A.

Pentwater, Michigan

The assignment of the requested channel at Evart, Michigan requires that FM Channel 274A that is presently assigned to Pentwater, Michigan and occupied by Radio Station WMOM(FM), (Facility ID 76057), be changed to FM Channel 242A and that the license of Radio Station WMOM(FM) be amended accordingly. FM Channel 242A is fully qualified as an alternate equivalent replacement channel and it can be assigned at the present transmitter site of WMOM(FM) provided the present vacant allotment at Ludington, Michigan is changed to FM Channel 249A. See Exhibit E-2.

Ludington, Michigan

FM Channel 249A³ can be assigned as an alternate equivalent channel that replaces the presently assigned FM Channel 242A⁴ at Ludington, Michigan at reference coordinates N44-01-53, W86-24-57. This allotment site is located approximately 10 km north of the community of Ludington, Michigan, (US Atlas coordinates N43-57-18, W86-27-08), and a transmitter operating at full Class A facilities fully illuminates the community with the required 70 dbu city grade signal using both uniform earth and actual terrain. The allotment site for FM Channel 249A at Ludington, Michigan is fully spaced to all facilities⁵, with the lone exception of the presently assigned FM Channel 249A occupied by Radio Station WMLQ(FM), (Facility ID 39787), at Manistee, Michigan. It is proposed that FM Channel 249A at Manistee, Michigan be changed to FM Channel 282A.

³ The applicant has submitted FCC Form 301, along with the requisite filing fee for the substitute FM Channel 249A at Ludington, Michigan.

⁴ See MB Docket 00-143.

⁵ See Exhibit E-3.

Manistee, Michigan

It is proposed that the presently assigned FM Channel 249A occupied by Radio Station KMLQ(FM), (Facility ID 39787), be changed to FM Channel 282A as an alternate equivalent channel. FM Channel 282A can be assigned to Manistee, Michigan at the present transmitter site of Radio Station KMLQ(FM) as is shown in Exhibit E-4.

Conclusion

In view of the foregoing, it is respectfully requested that the Commission initiate a rulemaking proceeding seeking the following changes to the FM Table of Allotments.

| Community | Present | Proposed |
|---------------------|---------|----------|
| Evart, Michigan | - | 274A |
| Pentwater, Michigan | 274A | 242A |
| Ludington, Michigan | 242A | 249A |
| Manistee, Michigan | 249A | 282A |

The petitioner will apply for the requested channels should the Commission amend the FM Table of Allotments as is requested in this Petition For Rulemaking seeking the assignment of FM Channel 274A to Evart, Michigan and FM Channel 249A to Ludington, Michigan. Specifically, the applicant will participate in the auction for the newly assigned channel 274A at Evart, Michigan and for FM Channel 249A at Ludington, Michigan and if the applicant is the successful bidder, it will promptly construct the facilities. The applicant will reimburse the licensee's of Radio Station WMOM(FM), (Facility ID 76507), Pentwater, Michigan and Radio Station WMLQ(FM), (Facility ID 39787), Manistee, Michigan their reasonable expenses in changing channels in accordance with Commission policy should it be the successful bidder at auction for the newly assigned channels at Evart, Michigan and at Ludington, Michigan.

The changes requested will provide a first local aural service to the community of Ewart, Michigan, no community is deprived of an aural service, and the changes requested result in a preferential arrangement of the distribution of the FM Services in Michigan. The proposed changes serve the public interest and the proposal should be adopted.

Certification

This engineering statement has been prepared by the undersigned and is true and correct to the best of his knowledge and belief, and is submitted in good faith. My qualifications are a matter of record before the Commission.

The undersigned is aware that this document is being filed with the Federal Communications Commission by Roy E. Henderson, and hereby consents to its use for that purpose.

Dated this 27th day of November 2007.

Respectfully,


F. W. Hannel, PE

F. W. Hannel & Associates
10733 East Butherus Drive
Scottsdale, AZ 85255
(480) 585-7475
Fax (815) 327-9559
<http://www.fwhannel.com>

| Call Sign | State | City | Frequency | Channel | ERP (watts) | Class | Status | Distance (km) | Separation | Clearance |
|-----------|-------|--------------|-----------|---------|----------------|-------|--------|---------------|------------|------------------|
| WMOM | MI | PENTWATER | 102.7 | 274 | 6000 | A | LIC | 87.02 | 115 | -28 ⁶ |
| WMKC | MI | ST. IGNACE | 102.9 | 275 | 100000 | C | LIC | 165.13 | 165 | 0.1 |
| WYBR | MI | BIG RAPIDS | 102.3 | 272 | 10500 | C3 | LIC | 44.65 | 42 | 2.6 |
| WFUR-FM | MI | GRAND RAPIDS | 102.9 | 275 | 50000 | B | LIC | 123.76 | 113 | 10.8 |
| WMKC | MI | INDIAN RIVER | 102.9 | 275 | 0 | C0 | RSV | 165.13 | 152 | 13.1 |
| WMKC | MI | INDIAN RIVER | 102.9 | 275 | 100000 | C0 | APP | 165.13 | 152 | 13.1 |
| WGDN-FM | MI | GLADWIN | 103.1 | 276 | 11500 | C3 | CP | 60.62 | 42 | 18.6 |
| WGDN-FM | MI | GLADWIN | 103.1 | 276 | 11500 | C3 | LIC | 60.62 | 42 | 18.6 |
| NEW | MI | REED CITY | 91.9 | 220 | 4500 | A | APP | 28.49 | 10 | 18.5 |
| WIOG | MI | BAY CITY | 102.5 | 273 | 86000 | B | LIC | 132.3 | 113 | 19.3 |

**Roy E. Henderson
FM Channel 274A Study
Ewart, Michigan**

N44-01-43 W85-17-51

**Exhibit E-1
November 2007**

⁶ Move to FM Channel 242A.

| Call Sign | State | City | Frequency | Channel | ERP (watts) | Class | Status | Distance (km) | Separation | Clearance |
|-----------|-------|--------------|-----------|---------|----------------|-------|--------|---------------|------------|---------------------|
| | MI | LUDINGTON | 96.3 | 242 | 0 | A | APP | 7.56 | 115 | -107.4 ⁷ |
| WLXT | MI | PETOSKEY | 96.3 | 242 | 100000 | C1 | LIC | 199.75 | 200 | -0.3 |
| NEW | MI | LUDINGTON | 96.5 | 243 | 19 | D | APP | 5.19 | 0 | 5.2 |
| WMAX-FM | MI | HOLLAND | 96.1 | 241 | 50000 | B | LIC | 123.23 | 113 | 10.2 |
| WMAX-FM | MI | HOLLAND | 96.1 | 241 | 20000 | B | LIC | 123.19 | 113 | 10.2 |
| WSFQ | WI | PESHTIGO | 96.3 | 242 | 49000 | C2 | LIC | 182.96 | 166 | 17 |
| WLHT-FM | MI | GRAND RAPIDS | 95.7 | 239 | 40000 | B | LIC | 107.34 | 69 | 38.3 |
| WKLH | WI | MILWAUKEE | 96.5 | 243 | 20000 | B | LIC | 151.73 | 113 | 38.7 |

Roy E. Henderson

**FM Channel 242A Study
Radio Station WMOM(FM)
Pentwater, Michigan**

N43-52-10 W86-21-32

**Exhibit E-2
November 2007**

⁷ To FM Channel 249A.

| Call Sign | State | City | Frequency | Channel | ERP (watts) | Class | Status | Distance (km) | Separation | Clearance |
|-----------|-------|--------------|-----------|---------|----------------|-------|--------|---------------|------------|--------------------|
| WMLQ | MI | MANISTEE | 97.7 | 249 | 2500 | A | LIC | 22.08 | 115 | -92.9 ⁸ |
| WEFG-FM | MI | WHITEHALL | 97.5 | 248 | 1700 | A | LIC | 72.25 | 72 | 0.3 |
| WSRG | WI | STURGEON BAY | 97.7 | 249 | 1850 | A | LIC | 123.16 | 115 | 8.2 |
| WKLT | MI | KALKASKA | 97.5 | 248 | 32000 | C2 | LIC | 126.18 | 106 | 20.2 |
| WFDL-FM | WI | LOMIRA | 97.7 | 249 | 17500 | C3 | LIC | 168.12 | 142 | 26.1 |
| WMRX-FM | MI | BEAVERTON | 97.7 | 249 | 4100 | A | LIC | 152.27 | 115 | 37.3 |
| WGRD-FM | MI | GRAND RAPIDS | 97.9 | 250 | 13000 | B | LIC | 150.62 | 113 | 37.6 |

Roy E. Henderson

**FM Channel 249A Study
Replacement Allotment
Ludington, Michigan**

N44-01-53 W86-24-57

**Exhibit E-3
November 2007**

⁸ To FM Channel 282A.

| Call Sign | State | City | Frequency | Channel | ERP (watts) | Class | Status | Distance (km) | Separation | Clearance |
|-----------|-------|----------------|-----------|---------|----------------|-------|--------|---------------|------------|-----------|
| WSNX-FM | MI | MUSKEGON | 104.5 | 283 | 22000 | B | LIC | 113.93 | 113 | 0.9 |
| WSNX-FM | MI | MUSKEGON | 104.5 | 283 | 32000 | B | LIC | 113.93 | 113 | 0.9 |
| 941020MI | MI | TRAVERSE CITY | 104.5 | 283 | 1400 | A | APP | 73.8 | 72 | 1.8 |
| 941020MI | MI | TRAVERSE CITY | 104.5 | 283 | 1400 | A | APP | 73.93 | 72 | 1.9 |
| 941020MI | MI | TRAVERSE CITY | 104.5 | 283 | 1400 | A | APP | 73.8 | 72 | 1.8 |
| 941020MN | MI | TRAVERSE CITY | 104.5 | 283 | 1000 | A | APP | 78.48 | 72 | 6.5 |
| 941020MH | MI | TRAVERSE CITY | 104.5 | 283 | 870 | A | APP | 79.6 | 72 | 7.6 |
| 941020MB | MI | TRAVERSE CITY | 104.5 | 283 | 1500 | A | APP | 80.68 | 72 | 8.7 |
| 941020MF | MI | TRAVERSE CITY | 104.5 | 283 | 3000 | A | APP | 81.9 | 72 | 9.9 |
| 941019MA | MI | TRAVERSE CITY | 104.5 | 283 | 800 | A | APP | 81.04 | 72 | 9 |
| 910227ME | MI | TRAVERSE CITY | 104.5 | 283 | 0 | A | APP | 81.83 | 72 | 9.8 |
| | MI | PENTWATER | 103.9 | 280 | 0 | A | APP | 49.78 | 31 | 18.8 |
| WCZY-FM | MI | MOUNT PLEASANT | 104.3 | 282 | 3000 | A | LIC | 136.84 | 115 | 21.8 |

Roy E. Henderson

**FM Channel 282A Study
Radio Station WMLQ(FM)
Manistee, Michigan**

N44-12-40 W86-17-53

**Exhibit E-4
November 2007**

CERTIFICATE OF SERVICE

I, Robert J. Buenzle, do hereby certify that copies of the foregoing Petition For Rulemaking have been served by United States mail, postage prepaid this 12th day of December, 2007, upon the following:

John A. Karousos, Esq., Assistant Chief
Audio Division, Media Bureau
Federal Communications Commission
Portals II, Room 2-A465
445 12th Street SW
Washington, D.C. 20024

Radio Station WMOM(FM)
Bay View Broadcasting, Inc.
4359 South Howell Avenue
Suite 106
Milwaukee, WI 53207

Radio Station WMLQ(FM)
Synergy Media, Inc.
Post office Box 855
Ludington, MI 49431



Robert J. Buenzle